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| 10/682,663      | 10/09/2003  | Ian James Clubb      | 1160215/0509834     | 9129             |

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| EXAMINER |
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HAMMOND III, THOMAS M

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| ART UNIT | PAPER NUMBER |
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3691

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04/23/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                          |                                          |                                     |  |
|--------------------------|------------------------------------------|-------------------------------------|--|
| <b>Interview Summary</b> | <b>Application No.</b><br>10/682,663     | <b>Applicant(s)</b><br>CLUBB ET AL. |  |
|                          | <b>Examiner</b><br>THOMAS M. HAMMOND III | <b>Art Unit</b><br>3691             |  |

All participants (applicant, applicant's representative, PTO personnel):

(1) THOMAS M. HAMMOND III, Examiner. (3)\_\_\_\_\_.

(2) Kenneth Wales, Applicant's Representative. (4)\_\_\_\_\_.

Date of Interview: 12 December 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1.

Identification of prior art discussed: \_\_\_\_\_.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Proposed amendments were discussed relative to the prior art of record. No agreement was reached, but it was acknowledged by the Examiner that the proposed amendments appeared to read over the prior art of record in the first rejection. The Examiner asserted that these references would need to be thoroughly reviewed before such an assessment was reached. The Examiner further asserted that the patentability of the Applicant's invention would be subject to an updated search, in light of such amendments.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action. \_\_\_\_\_  
Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

#### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

#### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.



|                              |                                          |                                     |  |
|------------------------------|------------------------------------------|-------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/682,663     | <b>Applicant(s)</b><br>CLUBB ET AL. |  |
|                              | <b>Examiner</b><br>THOMAS M. HAMMOND III | <b>Art Unit</b><br>3691             |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 5, 7 and 17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 8-16 and 18-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                        |                                                                    |
|----------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. <u>12/12/2007</u> .                         |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application  |
| Paper No(s)/Mail Date <u>03/07/2008</u> .                                              | 6) <input type="checkbox"/> Other: _____.                          |

## DETAILED ACTION

### *Status of Claims*

1. This action is in reply to the Applicant's response to the First Office Action on the Merits, filed on 12/13/2007.
2. Claims 5, 7, and 17 have been cancelled.
3. Claim 23 has been newly added.
4. Claims 1-4, 6, 8-16, and 18-23 are currently pending and have been examined.

### *Information Disclosure Statement*

5. The Information Disclosure Statement filed on 03/07/2008 has been considered. An initialed copy of the Form 1449 is enclosed herewith.

### ***\*\*Examiner Notice to Applicant\*\****

6. The Examiner would like to make of record that the Applicant's response to the First Office Action on the Merits, filed on 12/13/2007, does not constitute a proper reply under MPEP 714.04-714.05, wherein "an amendment failing to point out the patentable novelty which the applicant believes the claims present in view of the state of the art disclosed by the references cited or the objections made may be held to be not fully responsive...". The Examiner, however, has afforded the courtesy of treating the response as a bona fide attempt at compliance in an effort to expedite prosecution, although it is not recognized as such.

### ***Previous Claim Objections***

7. Claims 1, 17, 20 and 22 were objected to for minor informalities. The Examiner appreciates the Applicant's prompt attention to these deficiencies and hereby withdraws such objections.

***Previous Claim Rejections - 35 USC § 112***

8. Claims 1-22 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner appreciates the Applicant's prompt attention to these deficiencies. However, the deficiencies of claim 18 were not completely reconciled. Accordingly the Examiner hereby withdraws the rejections of claims 1-17 and 19-22 and upholds the rejection for claim 18.

## ***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless –*

*(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.*

10. Claims 21-23 are rejected under 35 U.S.C. 102(e) as being anticipated by *Barak et al.*, US Patent No. 6,788,772.

### **As per claim 21**

#### ***Barak teaches:***

- A master wallet (see at least column 6, lines 14-57)
- At least two shadow wallets (see at least column 6, lines 14-57)
- Said master wallet is programmed to comprise a resource (see at least column 6, lines 14-57)
- Said master wallet is programmed to allocate a subset of said resource (loan) to each of at least two shadow wallets (see at least column 6, lines 14-57)
- Said system is programmed to process one or more requests against the loan residing on at least one of at least two shadow wallets, wherein when one or more of the requests reduces the resource loan in at least one of said at least two shadow wallets, and said reduced resource loan in at least one of said at least two shadow wallets creates a shadow wallet fragment for each of the at least two shadow wallets containing a reduced portion of the original loan (see at least column 6, lines 14-57)

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- Wherein one or more of said at least two shadow wallets and said shadow wallet fragment found within said computerized system can be in one or more states comprising: (see at least column 6, lines 14-57)
  - o A new request stat for creating a new shadow wallet containing a loan
  - o An open/more state wherein one or more of said at least two shadow wallets and said shadow wallet fragment contains more loan and said more loan has no additional requests pending
  - o An open/more/request state wherein one or more of said at least two shadow wallets and said shadow wallet fragment contains more loan and a request for a loan change is pending against said more loan in one or more of said shadow wallet and said shadow wallet fragment
  - o An open/no-more state wherein one or more of said at least two shadow wallets and said shadow wallet fragment is open for use but contains no more loan available therein
  - o A closed state wherein no more loan is available and no new requests can be set against said at least two shadow wallets and said shadow wallet fragment containing no more loan available
  - o A return state wherein one or more of said shadow wallet and said shadow wallet fragment is passing back to the master wallet and no additional requests can be set against a returning shadow wallet
  - o A purged shadow wallet state, wherein one or more of said shadow wallet and said shadow wallet fragment is purged and said master wallet has taken control of any resource from a purged shadow wallet

**As per claim 22*****Barak teaches:***

- A master wallet (see at least column 3, lines 19-49)
- At least one shadow wallet (see at least column 3, lines 19-49)

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- Said system is programmed to process a request wherein said request includes an identifier (see at least column 3, lines 19-49)
- Said master wallet is associated with a group of identifiers (master group) (see at least column 3, lines 19-49)
- Said master wallet is programmed to comprise a resource (see at least column 3, lines 19-49)
- Said master wallet is programmed to allocate a subset of said resource (loan) to said at least one shadow wallet (see at least column 6, lines 14-57)
- Said system is programmed to process said request against the loan residing on said at least one shadow wallet (see at least column 6, lines 14-57)
- Said system is programmed to process said request for an event that is a non-chargeable use of a normally chargeable event (see at least column 3, lines 50-67)

**As per claim 23**

***Barak teaches:***

- A master wallet (see at least column 2, lines 17-37)
- At least one shadow wallet associated with said master wallet (see at least column 2, lines 17-37)
- Said master wallet and said at least one shadow wallet is created on said system when a consumer purchases at least one product, wherein the purchase entitles said consumer to an allowance for future use of said at least one product and at least one identifier associating the consumer with said at least one product and said allowance (see at least column 2, lines 17-37)
- Said master wallet is programmed to allocated a subset of said allowance (loan) to each of said at least one shadow wallet (see at least column 2, lines 17-37)
- Said system is programmed to process a request against said loan residing on at least one of said at least one shadow wallet when said at least one product is used by said consumer, wherein said request includes an identifier associating said consumer with use of the at least one product (see at least column 2, lines 17-37)

### ***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

12. Claims 1, 15, 16, 18, 19, 6, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Barak*, in view of, *Nelson*, *US Patent No. 6,529,593*.

#### **As per claim 1**

##### ***Barak teaches:***

- A master wallet (see at least column 2, lines 17-37)
- At least two shadow wallets (see at least column 2, lines 17-37)
- Said system is programmed to process a request wherein said request includes a identifier (see at least column 1, lines 47-67)
- Said master wallet is associated with a group of identifiers (master group) (see at least column 1, lines 47-67)
- Said master wallet is programmed to comprise a resource (see at least column 4, lines 59-67; column 3, lines 19-34)
- Said master wallet is programmed to allocate a subset of said resource (loan) to each of said at least two shadow wallets (see at least column 3, lines 35-49)
- Said system is programmed to process said request against the loan residing on one of said shadow wallets (see at least column 4, lines 46-60)

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***Barak does not teach:***

- Wherein when any of said shadow wallets fail (failed shadow wallet) due to a failure of a portion or the computer system containing said shadow wallet, said system is programmed to:
  - o Create a replacement shadow wallet within the computerized system to replace said failed shadow wallet
  - o To allocate to said replacement shadow wallet a subset of said loan (loan subset) allocated to said failed shadow wallet

***Nelson teaches:***

- Wherein when any of said shadow wallets fail (failed shadow wallet) due to a failure of a portion or the computer system containing said shadow wallet, said system is programmed to:
  - o Create a replacement shadow wallet within the computerized system to replace said failed shadow wallet (see at least column 5, lines 10-53)
  - o To allocate to said replacement shadow wallet a subset of said loan (loan subset) allocated to said failed shadow wallet (see at least column 5, lines 10-53)

*However, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add to the teachings of Barak, the teachings of Nelson shown above. One would have been motivated to do so to enable consumers to control the resources in their accounts (see at least Nelson column 5, lines 10-53)*

**As per claim 15**

***Barak, in view of Nelson, teaches the system of claim 1, as described above.***

***Nelson further teaches:***

- When any of said shadow wallets fail (failed shadow wallet), said system may be programmed to create a replacement shadow wallet (see at least column 5, lines 10-53)
- Said system is programmed to allocate to said replacement shadow wallet a subset of said loan (loan subset) allocated to said failed shadow wallet (see at least column 5, lines 10-53)

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**As per claim 16**

***Barak, in view of Nelson, teaches the system of claim 15, as described above.***

***Nelson further teaches:***

- Said system is programmed to allocate said loan subset when an unused portion of said failed shadow wallet's loan is unknown at failure (see at least column 5, lines 10-53)

**As per claim 18**

***Barak, in view of Nelson, teaches the system of claim 1, as described above.***

***Nelson further teaches:***

- Wherein said system is programmed send a message to said shadow wallet if said shadow wallet has exclusive access to said master wallet (see at least column 5, lines 10-28)

**As per claim 19**

***Barak, in view of Nelson, teaches the system of claim 1, as described above.***

***Barak further teaches:***

- When said shadow wallet fails, said master wallet grants a transient, overdraft loan to said new shadow wallet when a loan state of the failed shadow wallet is unknown (see at least column 5, lines 6-54)

**As per claim 6**

***Barak teaches the system of claim 23, as described above.***

***Barak does not teach:***

- Wherein any of said shadow wallets requests (requesting shadow wallet) an additional loan from said master wallet
- When said master wallet comprises any unclaimed resource, then the system is programmed to cause the master wallet to grant said additional loan to said requesting shadow wallet

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***Nelson teaches:***

- Wherein any of said shadow wallets requests (requesting shadow wallet) an additional loan from said master wallet (see at least Figure 4B and associated text)
- When said master wallet comprises any unclaimed resource, then the system is programmed to cause the master wallet to grant said additional loan to said requesting shadow wallet (see at least Figure 4B and associated text)

*However, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add to the teachings of Barak, the teachings of Nelson shown above. One would have been motivated to do so to enable consumers to control the resources in their accounts (see at least Nelson column 5, lines 10-53)*

**As per claim 9**

***Barak teaches the system of claim 23, as described above.***

***Barak does not teach:***

- Said purchase of said product includes a validity period which is passed to said shadow wallets along with said loans
- Said system is programmed to disregard any amounts, contained in an loan, that are outside of said validity period

***Nelson teaches:***

- Said purchase of said product includes a validity period which is passed to said shadow wallets along with said loans (see at least Figures 4A & 4B and associated text)
- Said system is programmed to disregard any amounts, contained in an loan, that are outside of said validity period (see at least Figures 4A & 4B and associated text)

*However, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add to the teachings of Barak, the teachings of Nelson shown above. One would have been motivated to do*

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*so to enable consumers to control the resources in their accounts (see at least Nelson column 5, lines 10-53)*

13. Claims 10-11, 20, 2-4, 8, and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Barak*, in view of, *Nelson*, in further view of, *BellSouth News Release*, 10/19/2000.

**As per claim 10**

***Barak, in view of Nelson, teaches the system of claim 1, as described above.***

***Barak does not teach:***

- Wherein said system is programmed to reclaim said loan from said shadow wallet and mark any unused portion thereof as available in said master wallet

***BellSouth teaches:***

- Wherein said system is programmed to reclaim said loan from said shadow wallet and mark any unused portion thereof as available in said master wallet (see at least page 2, "Rollover Minutes")

*However, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add to the teachings of Barak and Nelson, the teachings of BellSouth shown above. One would have been motivated to do so to enable consumers to control the resources in their accounts (see at least Nelson column 5, lines 10-53)*

**As per claim 11**

***Barak, in view of Nelson, teaches the system of claim 1, as described above.***

***Barak further teaches:***

- When any of said shadow wallets fail (failed shadow wallet), said system may be programmed to notify said master wallet (see at least column 3, lines 19-49)

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***Barak does not teach:***

- Updating said resource on said master wallet with any unused loan from said failed shadow wallet

***BellSouth teaches:***

- Updating said resource on said master wallet with any unused loan from said failed shadow wallet (see at least page 2, "Rollover Minutes")

*However, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add to the teachings of Barak and Nelson, the teachings of BellSouth shown above. One would have been motivated to do so to enable consumers to control the resources in their accounts (see at least Nelson column 5, lines 10-53)*

**As per claim 20**

Claim 20 is interpreted by the Examiner to encompass substantially the same scope as claims 1 and 10. Accordingly, claim 20 is rejected in substantially the same manner as claims 1 and 10.

**As per claim 2**

***Barak, in view of Nelson, in further view of Bell South, teaches the system of claim 20, as described above.***

***Barak further teaches:***

- Various system configurations adaptable to distribute servers (wallets) in an optimal manner (see at least column 10, lines 1-14)

***Barak does not teach:***

- Said shadow wallet is placed between said master wallet and a user associated with said identifier to speed up the real-time processing of requests by pre-loading components in an abbreviated path

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*However, the Examiner takes OFFICIAL NOTICE that such a configuration is old and well known in the computer networking art. A simple example of this is done with a cache browser memory, whereby web page data is stored locally (between the user and master database) so that the information can be pre-loaded from such location quicker than accessing the master database. Furthermore, one would have been motivated to use this readily available technology because of its obvious efficiency advantages that are well documented and practiced in the art.*

**As per claims 3-4**

***Barak, in view of Nelson, in further view of Bell South, teaches the system of claim 20, as described above.***

***Barak further teaches:***

- Said system is programmed to notify said master wallet as said loan on said shadow wallet is consumed (see at least column 8, lines 35-61)
- Said system is programmed to create at least one additional shadow wallet (see at least column 3, lines 35-44)
- Said system is programmed to reallocate subsets of said resource from said master wallet across said shadow wallets including said at least one additional shadow wallet (see at least column 3, lines 35-44)

**As per claim 8**

***Barak, in view of Nelson, in further view of Bell South, teaches the system of claim 20, as described above.***

***Nelson further teaches:***

- Said master wallet can have a second shadow wallet and when any of said shadow wallets requests (requesting shadow wallet) an additional loan from an unused portion of any loan in another shadow wallet (see at least column 6, lines 23-57)

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- Said system is programmed to cause said second shadow wallet to transfer said unused loan to said requesting shadow wallet (see at least column 6, lines 23-57)

**As per claim 12**

***Barak, in view of Nelson, in further view of Bell South, teaches the system of claim 20, as described above.***

***Barak further teaches:***

- Prior to returning said loan to said master wallet, said system is programmed to grant an additional loan from said master wallet to any of said shadow wallets when said shadow wallet's loan falls below a predetermined minimum where such minimum is one or more of: an absolute value, or based on a derived value such as a percentage, or a usage rate (see at least column 5, lines 6-30)

**As per claim 13**

***Barak, in view of Nelson, in further view of Bell South, teaches the system of claim 12, as described above.***

***Barak does not teach:***

- Wherein said system is programmed to grant said additional loan only if said resource existing (existing resource) in said master wallet is greater than or equal to said additional loan

*However, the Examiner takes OFFICIAL NOTICE that this limitation, commonly referred to as overdraft protection, is old and well known in art of banking and finance. Furthermore, one would have been motivated to do so to enable consumers to control the resources in their accounts (see at least Nelson column 5, lines 10-53)*

Art Unit: 3691

**As per claim 14**

***Barak, in view of Nelson, in further view of Bell South, teaches the system of claim 12, as described above.***

***Barak does not teach:***

- When said existing resource is less than said additional loan, said system is programmed to obtain said additional loan from any of said at least one other shadow wallet

*However, the Examiner takes OFFICIAL NOTICE that this limitation, also commonly referred to as overdraft protection, is old and well known in art of banking and finance. Furthermore, one would have been motivated to do so to enable consumers to control the resources in their accounts (see at least Nelson column 5, lines 10-53)*

## ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M. Hammond III whose telephone number is 571-270-1829. The examiner can normally be reached on Monday - Thursday, 7AM - 5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3691

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thomas M Hammond III

Patent Examiner, Art Unit 3691

US Patent &amp; Trademark Office

03/06/2008

/Hani M. Kazimi/

Primary Examiner, Art Unit 3691

|                                   |                                       |  |                                                            |             |
|-----------------------------------|---------------------------------------|--|------------------------------------------------------------|-------------|
| <b>Notice of References Cited</b> | Application/Control No.<br>10/682,663 |  | Applicant(s)/Patent Under<br>Reexamination<br>CLUBB ET AL. |             |
|                                   | Examiner<br>THOMAS M. HAMMOND III     |  | Art Unit<br>3691                                           | Page 1 of 1 |

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| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Name             | Classification |
|---|---|--------------------------------------------------|-----------------|------------------|----------------|
| * | A | US-6,788,772                                     | 09-2004         | Barak et al.     | 379/130        |
| * | B | US-6,529,593                                     | 03-2003         | Nelson, Roderick | 379/114.2      |
|   | C | US-                                              |                 |                  |                |
|   | D | US-                                              |                 |                  |                |
|   | E | US-                                              |                 |                  |                |
|   | F | US-                                              |                 |                  |                |
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|   | K | US-                                              |                 |                  |                |
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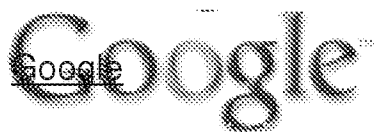
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|---|---|-----------------------------------------------------------------------------------------------------|
|   | U | BellSouth Corporation, New Release Archive□□"BellSouth Third Quarter EPS Increases 10%"□□10/19/2000 |
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\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
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... this past billing cycle I have talked 476 of my 500 regular weekday minutes, but only 125 of my 5000 weekend minutes and 0 of my 1685 **rollover minutes**. ...

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Special plans such as BellSouth's unique "**Rollover Minutes**" program and digital ... increase compared to \$491 million in the same three months of **1999**. ...

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### At&t Wireless - GupShup Forums

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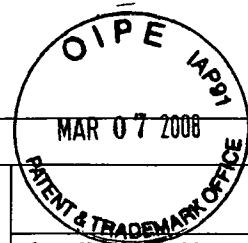
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|                                                                                                          |   |    |   | Application No.          | 10/682,663        |
|                                                                                                          |   |    |   | Filing Date              | 10/09/2003        |
|                                                                                                          |   |    |   | First Named Inventor     | Ian Clubb         |
|                                                                                                          |   |    |   | Art Unit                 | 2152              |
|                                                                                                          |   |    |   | Examiner Name            | Whipple, Brian P. |
| Sheet                                                                                                    | 1 | of | 1 | Attorney Docket No.      | 1160215/0509834   |
|                                                                                                          |   |    |   |                          |                   |

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|-----------------------|-------------|------------------------------------------|--------------------------------|----------------------------------------------------|---------------------------------------------------------------------------------|
| Examiner<br>initials  | Cite<br>No. | DOCUMENT NUMBER                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
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|                          |             | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind code <sup>5</sup><br>(if known) |                                |                                                    |                                                                                    |                |
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| OTHER PRIOR ART - NON-PATENT LITERATURE DOCUMENTS |             |                                                                                                                                                                                                                                                                |                |
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|                            | 1           | Office Action dated 12/31/2007 for U.S. Application Serial No. 10/666,631 |

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| <b><i>Index of Claims</i></b><br><br> | <b>Application/Control No.</b><br><br>10682663 | <b>Applicant(s)/Patent Under Reexamination</b><br><br>CLUBB ET AL. |
|                                                                                                                        | <b>Examiner</b><br><br>Hammond III, Thomas M   | <b>Art Unit</b><br><br>3691                                        |

|   |                 |   |                   |   |                     |   |                 |
|---|-----------------|---|-------------------|---|---------------------|---|-----------------|
| ✓ | <b>Rejected</b> | - | <b>Cancelled</b>  | N | <b>Non-Elected</b>  | A | <b>Appeal</b>   |
| = | <b>Allowed</b>  | ÷ | <b>Restricted</b> | I | <b>Interference</b> | O | <b>Objected</b> |

| <input type="checkbox"/> Claims renumbered in the same order as presented by applicant <input type="checkbox"/> CPA <input type="checkbox"/> T.D. <input type="checkbox"/> R.1.47 |          |            |            |            |  |  |  |  |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------------|------------|------------|--|--|--|--|--|--|
| CLAIM                                                                                                                                                                             |          | DATE       |            |            |  |  |  |  |  |  |
| Final                                                                                                                                                                             | Original | 09/11/2007 | 09/11/2007 | 03/06/2008 |  |  |  |  |  |  |
|                                                                                                                                                                                   | 1        | ✓          |            | ✓          |  |  |  |  |  |  |
|                                                                                                                                                                                   | 2        | ✓          | ○          | ✓          |  |  |  |  |  |  |
|                                                                                                                                                                                   | 3        | ✓          |            | ✓          |  |  |  |  |  |  |
|                                                                                                                                                                                   | 4        | ✓          |            | ✓          |  |  |  |  |  |  |
|                                                                                                                                                                                   | 5        | ✓          |            | -          |  |  |  |  |  |  |
|                                                                                                                                                                                   | 6        | ✓          |            | ✓          |  |  |  |  |  |  |
|                                                                                                                                                                                   | 7        | ✓          |            | -          |  |  |  |  |  |  |
|                                                                                                                                                                                   | 8        | ✓          |            | ✓          |  |  |  |  |  |  |
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| Class    | Subclass | Date      | Examiner |
| 705      | 35-40    | 9/10/2007 | TH       |

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